

Regular Session, 2010

ACT No. 359

HOUSE BILL NO. 232

BY REPRESENTATIVE GEYMANN

1 AN ACT

2 To amend and reenact R.S. 14:43(A)(2), relative to simple rape; to clarify provisions
3 regarding simple rape; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:43(A)(2) is hereby amended and reenacted to read as follows:

6 §43. Simple rape

7 A. Simple rape is a rape committed when the anal, oral, or vaginal sexual
8 intercourse is deemed to be without the lawful consent of a victim because it is
9 committed under any one or more of the following circumstances:

10 * * *

11 (2) When the victim is ~~incapable~~, through unsoundness of mind, is
12 temporarily or permanently incapable of ~~whether temporary or permanent, or~~
13 understanding the nature of the act and the offender knew or should have known of
14 the victim's incapacity.

15 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____